

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

CARLOS TERRILL MAXWELL,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-14-0285-F
)	
REECE LANE, et al.,)	
)	
Respondents.)	

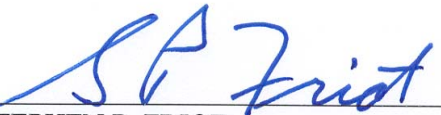
ORDER

Petitioner, a state prisoner appearing *pro se*, seeks habeas relief in this action. The magistrate judge entered a Report and Recommendation (the Report), recommending the petition be dismissed without prejudice because petitioner failed to pay the filing fee and had not filed an application to proceed *in forma pauperis*. The Report advised petitioner of his right to file an objection to the recommendations contained in the Report by May 20, 2014, and advised that failure to timely object waives the right to appellate review of both factual and legal issues contained in the Report. No objection has been filed, and no request for an extension of time within which to object has been filed.¹ With no objection having been filed and with the filing fee remaining unpaid, the court, after review, **ACCEPTS, ADOPTS**, and

¹The Report and Recommendation was mailed to petitioner but returned as undeliverable.
Doc. no. 6.

AFFIRMS the Report and Recommendation of the magistrate judge. This action is **DISMISSED** without prejudice. A certificate of appealability is **DENIED**.

Dated this 21st day of May, 2014.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

14-0285p001.wpd